

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARMEN REYES,

13cv4683

Plaintiff,

ORDER

-against-

CAROLYN COLVIN, Commissioner of
Social Security

Defendant.
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WILLIAM H. PAULEY III, District Judge:

Plaintiff Carmen Reyes (“Reyes”) filed this action to challenge denial of her application for disability benefits by the Commissioner of Social Security (“Commissioner”). On February 14, 2014, Reyes moved for a judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, asking the Court to reverse the decision of the Commissioner and remand for further administrative proceedings. On April 25, 2014, the Commissioner cross-moved for judgment on the pleadings, asking the Court to affirm the Commissioner’s decision and dismiss the Complaint. In a Report and Recommendation dated December 19, 2014 (“the Report”), Magistrate Judge Ronald L. Ellis recommended that this Court grant Reyes’s motion and deny the Commissioner’s motion. Neither party has objected to the Report. This Court finds that the Report is not facially erroneous, and affirms and adopts it. Accordingly, Reyes’s motion is granted, the Commissioner’s motion is denied, and this case is remanded for further administrative proceedings.

The Clerk of the Court is directed to mark this case closed.

DATED: January 26, 2015
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

All Counsel of Record.